

DEPARTMENT OF TRANSPORTATION

DISTRICT 3

P.O. BOX 911

MARYSVILLE, CA 95901
TDD (916) 741-4509
FAX (916) 741-4457
(916) 741-4498



May 12, 1994

03-Pla-65
PM R12.2/R23.8
333800
Lincoln Bypass

(SEE ATTACHED LIST)

Dear Mr/Ms.:

Pursuant to the terms of the NEPA/404 Integration MOU, an interagency coordination meeting was held on May 5, 1994, at the Army Corps of Engineers Sacramento District Office to discuss the proposed State Route 65 Bypass of the City of Lincoln in Placer County. The project is sponsored by Caltrans and the Federal Highway Administration. In addition to the project sponsors, meeting participants were the Corps of Engineers, Environmental Protection Agency, U.S. Fish & Wildlife Service and the California Department of Fish & Game (not an MOU signatory).

Participants reviewed and discussed the project purpose and need, alternatives and a comparison of sensitive biological/404 and other environmental resources for each alternative under consideration. There is no official preferred alternative, but the City of Lincoln is protecting the D13 alignment, the most westerly, from further development. The Corps has verified the wetland delineations.

The current project schedule calls for public circulation of the Draft Environmental Impact Statement by July 1995. Per Appendix A of the MOU, Caltrans and the Federal Highway Administration seek your agency's written concurrence or any comments you may have on the NEPA purpose and need, criteria for alternative selection/rejection and alternatives to be evaluated in the draft EIS, based on the discussions at the above meeting. We also request your written agreement to participate as a cooperating agency. If you have any questions, please do not hesitate to contact me.

Sincerely,

JEAN L. BAKER, Chief
Environmental Branch B

cc/bcc: See Attached List

cc: Mr. George Wishman
Federal Highway Administration
U.S. Bank Plaza
980 Ninth Street, Suite 400
Sacramento, CA 95814-2724

Ms. Karen Schaeffer
Regulatory Functions
U.S. Army Corps of Engineers
Sacramento District
1325 J Street
Sacramento, CA 95814-2992

Mr. Art Champ, Chief
Regulatory Functions
U.S. Army Corps of Engineers
Sacramento District
1325 J Street
Sacramento, CA 95814-2992

Mr. Paul Jones
Wetlands Program
Environmental Protection Agency
Permitting Section
75 Hawthorn Street (W-7-2)
Sacramento, CA 94105

Mr. Mike Aceituno
Attention: Mark Littlefield
U.S. Fish & Wildlife Service
2800 Cottage Way
Sacramento, CA 95825

Mr. Dave Zezulak
Environmental Services
Department of Fish & Game
1701 Nimbus Road, Suite A
Rancho Cordova, CA 95670

bcc: Joe Caputo, Chief Project Studies
Henry Bass, Env. Br. A
Lucie Adams, HQ Env. Division



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Ecological Services
Sacramento Field Office
2800 Cottage Way, Room E-1803
Sacramento, California 95825

In Reply Refer To:
PPN 626

June 17, 1994

Ms. Jean L. Baker, Chief Environmental Branch B
California Department of Transportation
District 3
P.O. Box 911
Marysville, CA 95901

Subject: State Route 65 Bypass of the City of Lincoln (Lincoln Bypass),
Placer County, California

Dear Ms. Baker:

The U.S. Fish and Wildlife Service (Service) has reviewed your request dated May 12, 1994 for concurrence with the proposed Lincoln bypass project's purpose and need, criteria for alternative selection, and the alternatives to be evaluated in the draft environmental impact statement. A description of the proposed project was transmitted to the Service on April 25, 1994. This description included the above referenced statements.

The Service requires more information on the proposed project's purpose and need statement, alternatives, and selection criteria before we can make a determination to concur or not concur at this planning stage. The comments below are provided for your consideration and to help in revision of the above referenced statements to our satisfaction. These comments will not take the place of any formal comments that may be required under the provisions of the Fish and Wildlife Coordination Act or the Endangered Species Act.

Purpose and Need Statement

The need statement is not clearly identified in the document. Purpose and need are two separate assertions, and should be differentiated in the text.

According to guidelines for implementing the NEPA/Section 404 Integration MOU, the need statement should define the problem or problems, explaining why a project is necessary. The need should be quantified wherever possible. The Service suggests that Caltrans express the need statement in terms of congestion, safety, Regional Transportation Plan policies, or transportation system management improvements. The need for the proposed project should be very well defined by the project development stage.

Much of the necessary language for a clear need statement already exists in the text of the document. We recommend restructuring the format of the need statement to promote better understanding of the problems and concerns that

led to the proposed project. Tables and statistics showing current road use, projected traffic flow, accident rates, local versus interregional traffic, etc. would be useful in identifying the need for the proposed project.

The purpose statement is also unclear and is not adequately supported by the need statement. A purpose statement should state the agency's intentions to solve the problem as described in the need. Given this project's need statement, the purpose statement is too precise. Why is a bypass necessary? The need statement does not discuss the need for a bypass. In what circumstances would a bypass be necessary? This should be clearly identified and discussed in the text.

Proposed Alternatives

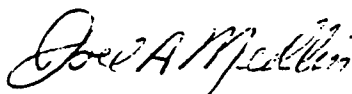
The Service met with representatives from Caltrans and the other MOU signatory agencies on May 5, 1994 to discuss the proposed project. The participants discussed several alternative alignments other than the proposed alternatives. These included variations on the existing alternatives in order to avoid impacts to vernal pools, and pushing the alignment farther east, closer to the existing SR 65 alignment to avoid impacts to wetlands and possible archeological sites. The Service is concerned with the potentially high impacts to wetlands and sensitive species associated with the current alternatives. The Service recommends that Caltrans undertake preliminary studies of the other alternatives recommended at the 5 May meeting to ascertain their appropriateness for further NEPA analysis.

Criteria for Selection of Alternatives

The matrix transmitted with the April 25, 1994 package compares impacts to various biological resources for each of the current alternatives. We recommend also including the alternatives that have been discarded into the matrix. Furthermore, the matrix should include the other criteria that Caltrans used to select the current alternatives - residential/commercial impacts, cost, projected traffic flow, etc.. In order for the Service to be able to review the selection criteria for concurrence or nonconcurrence, we will need a complete list of the criteria and the alternatives that were discarded at earlier planning stages.

If you have any further questions regarding these comments, please contact Kristi Young at 916/978-4866.

Sincerely,



Joel A. Medlin
Field Supervisor

cc: ARD-ES, Portland, OR
COE, Sacramento (Regulatory)
EPA, San Francisco (Wendy Melgin)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

June 28, 1994

Jean L. Baker, Chief
Environmental Branch B
California Department of Transportation
District 3
P.O. Box 911
Marysville, CA 95901

Dear Ms. Baker:

The Environmental Protection Agency has reviewed the information concerning **Route 65: Lincoln Bypass** provided under your cover letter dated May 12, 1994. It appears, from the information provided, that our involvement in the concurrent process established within the NEPA/404 Memorandum of Understanding (MOU) is appropriate inasmuch as projected wetland impacts would likely require an individual Section 404 permit.

We are pleased to offer our initial concurrence on two elements of the project. We concur that: 1) the range of alternatives presented appears to meet the requirements of Section 404; and 2) the project document has adequately included the criteria for including the alternatives presented. We nonconcur, however, that the range of alternatives complies with the National Environmental Policy Act (NEPA). As such, there are several elements that we believe warrant further refinement before proceeding to the next stage in the National Environmental Policy Act (NEPA) process. For purposes of clarity, we've listed the applicable elements from the MOU below and provided comments which relate specifically to each element.

1. Is the Purpose and Need appropriately presented/discussed? The project purpose should be stated without limiting options for "reducing traffic congestion and delays and improving safety" to constructing a bypass. The purpose should be simply stated as "...to reduce traffic delays and congestion, and to improve safety." The need to accommodate such a purpose has been clearly presented, but the means by which to accommodate the purpose is not as clear. For example, some of the congestion comes from local traffic that will continue to use the downtown roadway regardless of whether the bypass is constructed. We question whether the alternatives presented in the document keep the purpose of the project broad enough so that other options are not foreclosed.

2. Does the project document discuss an appropriate range of alternatives? While the document does discuss alternatives, all of the alternatives, with the exception of no action, focus on bypass alignments. There is no discussion of

any other means to accomplish the project purpose. For example, the range of alternatives should include an analysis of constructing a two lane bypass (rationale provided in 1, above) and could include an analysis of perhaps adding signals on the current route or re-routing traffic off of main street or adding additional transit opportunities ("no expansion plans are being considered at this time") and/or a combination of any or all of these **or other such options**. CEQ regulations for implementing NEPA require analysis of all reasonable alternatives [40 CFR §1502.14(a)]. If these are not reasonable alternatives, please provide the rationale for discarding them.

3. Is the (Section 404) least environmentally damaging practicable alternative described as such? This is a major issue which should be addressed before proceeding to the next stage. The information provided clearly indicates that the D13 alignment is the preferred alternative. D13, with the potential for impacts to 18.29 acres of wetlands, would impact twice as much wetland area as alternative alignments AA and A5. As such, D13 does not appear to be the least damaging practicable alternative, based on the information provided..

4. Does the project mitigation plan and implementation schedule adequately accommodate the intent of the NEPA/404 Concurrent Process?

AND

5. Once implemented, would the proposed mitigation plan prevent significant degradation of the aquatic environment from the project? There was no significant discussion of mitigation in the document provided for review. Both of these issues should be addressed before proceeding to the next stage.

In reviewing the information provided, we also note that upgrading of Route 65 to a four lane expressway (in keeping with the August 1992 District 3 System Management Plan, which "indicates that the concept facility for Route 65 is a four-lane expressway with a bypass of Lincoln") is taking place segment by segment. The first "segment" (Roseville Bypass) has already been upgraded to a four lane expressway from I-80 to Blue Oaks Boulevard. Accordingly, we are:

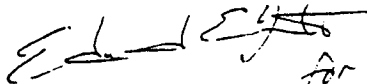
- a) unclear of the logical termini for the Lincoln Bypass "segment;" and
- b) concerned that the indirect effects and cumulative environmental impacts of the "concept facility" may not be addressed in accord with 40 CFR Sections 1508.7 and 1508.8(b).

We would be very interested in receiving the NEPA documentation prepared for the Roseville Bypass and any other NEPA documentation which may have been prepared pursuant to expanding Route 65. The NEPA document prepared for this particular proposal should include a thorough discussion and analysis of direct and indirect effects and cumulative impacts as defined in the Council on Environmental Quality Regulations for Implementing the National Environmental Policy Act (40 CFR Parts 1500-1508).

Your cover letter also requests that EPA participate as a cooperating agency in the preparation of the EIS for the proposed project. Inasmuch as the proposed project could significantly impact aquatic resources, we believe our involvement as a cooperating agency may be appropriate. At this time we propose that our participation include: 1) review of draft materials pertinent to aquatic resources, such as Section 404(b)(1) analysis, jurisdictional determination, habitat analysis and compensatory mitigation plans; 2) attending a limited number of meetings; and 3) participating in conference calls that might be necessary to resolve particular issues. Normally, the lead **federal** agency (FHWA) prepares a formal request and memorandum of understanding which outlines the specifics of each agency's responsibilities. We will provide a copy of this response to FHWA indicating that we would be a cooperating agency in this effort if requested to do so.

We appreciate your efforts in providing information in keeping with the NEPA/404 MOU. Should you have questions regarding our comments, please contact me at 415-744-1574. If you have questions concerning Section 404 issues, please have your staff contact Wendy Melgin in our Wetlands and Sediment Management Section at 415-744-1966.

Sincerely,

A handwritten signature in black ink, appearing to read "David J. Farrel", with a stylized flourish at the end.

David J. Farrel, Chief
Environmental Review Section
Office of Federal Activities

RT65.df

cc: FHWA, Sacramento (G. Wishman)
COE, Sacramento (A. Champ/K. Schaeffer)
USFWS, Sacramento (M. Littlefield)

DEPARTMENT OF TRANSPORTATION

DISTRICT 3
P.O. BOX 911
MARYSVILLE, CA 95901
Telephone (916) 741-4509
(916) 741-4457
Telephone (916) 741-4498



February 18, 1997

03-PLA-65
PM R12.2/R23.8
Lincoln Bypass
E.A. 03 333800

Ms. Elizabeth White
U.S. Environmental Protection Agency
Region 9, Wetlands Permits (W-7-2)
75 Hawthorne Street
San Francisco, CA 94105

Dear Ms. White:

The enclosed information relative to the proposed Lincoln Bypass project is being sent to you in preparation for a meeting scheduled on Thursday, March 6, 1997, at 9:00 a.m., in Room 1220 of the Sacramento District Corps of Engineers office. The information includes copies of prior correspondence from your agency and the U.S. Fish & Wildlife Service pursuant to the NEPA/404 MOU. It also includes a summary of project purpose and range of alternatives. The purpose of the meeting on March 6 is to provide current information to the Corps, EPA and U.S. Fish & Wildlife Service and, in compliance with the NEPA/404 MOU, to obtain concurrence from these agencies with the project purpose and range of alternatives to be covered in the draft EIS.

If you have any questions prior to our meeting, please do not hesitate to contact me. Thank you.

Sincerely,

Original Signed By

JEAN L. BAKER, Chief
Office of Environmental
Engineering/Technical Studies

Enclosures

bc: Mr. Rick Harlacher w/o enclosure
LSA Associates, Inc.
6721 Five Star Blvd., Suite C
Rocklin, CA 95677

Wendy Tkacheff, Design
Henry Bass, Environmental
Carolyn Brown, Environmental

JB:jm

File: EPA/65

DEPARTMENT OF TRANSPORTATION

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P.O. BOX 911
MARYSVILLE, CA 95901
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FAX (916) 741-4457
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February 18, 1997

03-PLA-65
PM R12.2/R23.8
Lincoln Bypass
E.A. 03 333800

Mr. Mark Littlefield
U. S. Fish & Wildlife Service
Sacramento Field Office
3310 El Camino Avenue, Suite 130
Sacramento, CA 95821-6340

Dear Mr. Littlefield:

The enclosed information relative to the proposed Lincoln Bypass project is being sent to you in preparation for a meeting scheduled on March 6, 1997, at 9:00 a.m. in Room 1220 of the Sacramento District Corps of Engineers office. This is a change from the previously-scheduled meeting on February 27. The information outlines agency coordination to date, project purpose and range of alternatives. The purpose of the meeting is to provide current information to the Corps, EPA and the Service and, in compliance with the NEPA/404 MOU, to obtain concurrence from these agencies with the project purpose and range of alternatives to be covered in the draft EIS.

If you have any questions prior to the meeting, please do not hesitate to contact me.
Thank you.

Sincerely,

Original Signed By

JEAN L. BAKER, Chief
Office of Environmental
Engineering/Technical Studies

Enclosure

bc: Mr. Rick Harlacher w/o enclosure
LSA Associates, Inc.
6721 Five Star Blvd., Suite C
Rocklin, CA 95677

Wendy Tkacheff, Design
Henry Bass, Environmental
Carolyn Brown, Environmental

JB:jm

File: FWS/65

DEPARTMENT OF TRANSPORTATION

DISTRICT 3

P.O. BOX 911

MARYSVILLE, CA 95901

Telephone (916) 741-4509

Fax (916) 741-4457

Telephone (916) 741-4498



February 18, 1997

03-PLA-65
PM R12.2/R23.8
Lincoln Bypass
E. A. 03 333800

Mr. Mike Finan
U.S. Army Corps of Engineers
ATTN: Regulatory Branch
1325 J Street
Sacramento, CA 95814-2922

Dear Mr. Finan:

The enclosed information relative to the proposed Lincoln Bypass project is being sent to you in preparation for the meeting to be held in your office on March 6, 1997, at 9:00 a.m. The information outlines agency coordination to date, project purpose and range of alternatives. The purpose of the meeting is to provide current information to the Corps, EPA and U.S. Fish & Wildlife Service and, in compliance with the NEPA/404 Integration MOU, to obtain concurrence from these agencies with the project purpose and the range of alternatives to be covered in the draft EIS.

If you have any questions prior to our meeting, please do not hesitate to contact me.
Thank you.

Sincerely,

Original Signed By

JEAN L. BAKER, Chief
Office of Environmental
Engineering/ Technical Studies

Enclosure

bc: Mr. Rick Harlacher w/o att.
LSA Associates, Inc.
6721 Five Star Blvd., Suite C
Rocklin, CA 95677

Henry Bass, Environmental
Carolyn Brown, Environmental
Wendy Tkacheff, Design

JB:jm

File: Corps/65

DEPARTMENT OF TRANSPORTATION

DISTRICT 3
P.O. BOX 911
MARYSVILLE, CA 95901
Telephone (916) 741-4509
Fax (916) 741-4457
Telephone (916) 741-4498



March 17, 1997

03-PLA-65
PM R12.2/R23.8
Lincoln Bypass
E. A. 03 333800

Mr. Mike Finan
U.S. Army Corps of Engineers
ATTN: Regulatory Branch
1325 J Street
Sacramento, CA 95814-2922

Dear Mr. Finan:

The enclosed information is being sent to you following an interagency coordination meeting held in the Army Corps of Engineers Sacramento District Office on March 6, 1997. The meeting was intended to provide current information to the Corps, EPA and U.S. Fish & Wildlife Service regarding the proposed State Route 65 Bypass of the City of Lincoln and to re-initiate compliance with the NEPA/404 MOU. The project is sponsored by Caltrans and the Federal Highway Administration.

Following an earlier interagency meeting held in May 1994, the EPA and U.S. Fish & Wildlife Service raised various concerns, particularly regarding the project purpose and the range of alternatives. As discussed at the most recent meeting, these two elements have been revised to address these concerns, as reflected in the attached summary. Other concerns raised in 1994 include identification of the Section 404 least environmentally damaging practicable alternative (LEDPA), implementation of the project mitigation plan and logical termini for the project. These elements will be specifically identified in the draft and final EIS, to be completed during 1998-99.

A Major Investment Study, a collaborative process involving local, county, regional, state and federal agencies, was completed in 1995. The study evaluates the efficiency and effectiveness of a full range of transportation alternatives as possible solutions to the problems through Lincoln. The process led to local consensus in the selection of the "highway bypass" as the preferred mode. It also documents the local and regional transportation planning process which identified the project need. The study does not select nor endorse a specific alignment. This will come about during public circulation of the draft and final EIS.

March 17, 1997

Page 2

Pursuant to the terms of the NEPA/404 MOU, Caltrans and the Federal Highway Administration seek your agency's written concurrence on the project purpose and the range of alternatives to be addressed in the draft EIS. If you have any questions, please do not hesitate to contact me.

Sincerely,

Original Signed By

JEAN L. BAKER, Chief
Office of Environmental
Engineering/Technical Studies

Enclosures

c: Mr. David Farrel
Chief, Federal Activities
U.S. Environmental Protection Agency
75 Hawthorne Street
San Francisco, CA 94105

Mr. Mark Littlefield
U.S. Fish & Wildlife Service
Sacramento Field Office
3310 El Camino Avenue, Suite 130
Sacramento, CA 95821-6340

Mr. Dave Zezulak
Chief, Environmental Services
Department of Fish & Game
1701 Nimbus Road, Suite A
Rancho Cordova, CA 95670

bc: Mr. Rick Harlacher w/o att.
LSA Associates, Inc.
6721 Five Star Blvd., Suite C
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Mr. George Wishman
Federal Highway Administration
U.S. Bank Plaza
980 Ninth Street, Suite 400
Sacramento, CA 95814-2724

Henry Bass, Environmental
Carolyn Brown, Environmental
Wendy Tkacheff, Design

JB:jm

File: Corps/65



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Ecological Services

Sacramento Field Office

3310 El Camino Avenue, Suite 130

Sacramento, California 95821-6340

IN REPLY REFER TO:

In Reply Refer To:

PPN 626

March 21, 1997

Jean L. Baker, Chief
Office of Environmental Engineering/Technical Studies
Department of Transportation, District Three
P.O. Box 911
Marysville, California 95901

Subject: State Route 65 Lincoln Bypass Alternatives Analysis, Project Purpose, and Range of Alternatives, Placer County, California

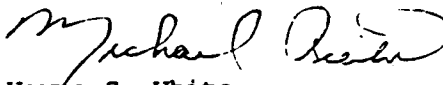
Dear Ms. Baker:

The U.S. Fish and Wildlife Service (Service) has reviewed your request for concurrence under the NEPA/404 Memorandum of Understanding (MOU) with the revised project purpose and range of alternatives for the proposed State Route 65 bypass.

We offer concurrence with the project purpose and range of alternatives that have been provided to us. Due to the potential high impacts to wetlands, the Service requests that the Section 404 least environmentally damaging practical alternative be clearly identified in the draft and final Environmental Impact Statement (EIS) scheduled for 1998-1999.

We look forward to reviewing the EIS upon completion. We appreciate your efforts in providing information in accordance with the NEPA/404 MOU. If you have any questions regarding these comments, please contact Kelly Oliver-Amy (Wetlands Branch) at (916) 979-2113.

Sincerely,


Wayne S. White
Field Supervisor

cc: AES-Portland, OR
COE, Sacramento
EPA, San Francisco
Reg. Mgr., CDFG, Reg. II, Rancho Cordova



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
U.S. ARMY ENGINEER DISTRICT, SACRAMENTO
CORPS OF ENGINEERS
1325 J STREET
SACRAMENTO, CALIFORNIA 95814-2922

April 7, 1997

Regulatory Branch (199500363)

Jean L. Baker, Chief
Office of Environmental Engineering/Technical Studies
State of California
Department of Transportation, District 3
P.O. Box 911
Marysville, California 95901

Dear Ms. Baker:

This letter concerns your March 17, 1997 letter requesting our comments on the project purpose and range of alternatives for the proposed State Route 65 Bypass of the City of Lincoln. Based upon the information you have provided we understand that this project is being sponsored by Caltrans and the Federal Highway Administration and that planning for this project will follow the memorandum of understanding integrating the National Environmental Policy Act and Section 404 of the Clean Water Act.

We concur with the revised statement of project purpose, the tiered approach, design parameters (which include minimizing impacts to wetlands) and the full range of alternatives discussed in the enclosure of the above letter. In order to assess the consistency of the alternatives relative to the project design parameters, a delineation of waters of the United States, including wetlands, potentially affected by each of the alternatives should be verified. Although the verifications we previously provided (199000168) have expired, we believe that much of the information generated in the original delineation will be useful and should help to expedite delineation(s) for the current project alternatives.

Where possible, the indirect impacts of each of the alternatives on waters, including wetlands, should also be identified and evaluated in an Environmental Impact Statement (EIS) for this project. Examples include waters in areas adjacent to proposed interchanges or in other areas where wetland losses could increase due to access from improving the existing alignment, constructing a highway bypass or other non-highway alternatives.

The Corps of Engineers jurisdiction within the study areas is under the authority of Section 404 of the Clean Water Act for the discharge of dredged or fill material into waters of the United States or excavation that has more than a minimal effect on the aquatic environment in these waters. The range of alternatives considered in an EIS should include alternatives that avoid fill in wetlands or other waters of the United States within the study area. Every effort should be made to avoid project features which require the discharge of fill into waters of the United States or which would indirectly lead to their loss. In the event it can be clearly demonstrated there are no practicable alternatives to filling waters of the United States, mitigation plans should be developed to compensate for losses resulting from project implementation.

We appreciate the opportunity to be included in your review process. We look forward to working with you in the identification of the Section 404 least environmentally damaging project alternative and in processing any Department of the Army permits which may be required for this project. If you have any questions, please write to Michael Finan, Room 1480, or telephone (916) 557-5324.

Sincerely,



Bob Junell
Chief, Sacramento Valley Office

Copies Furnished:

Ms. Kelly Oliver-Amy, Wetlands Branch, U.S. Fish and Wildlife Service, 3310 El Camino Avenue, Suite 130, Sacramento, California 95821-6340

Mr. James Romero, CWA Compliance Office (WTR-7), U.S. Environmental Protection Agency, 75 Hawthorne Street, San Francisco, California 94105

Ms. Edna Maita, Environmental Services, California Department of Fish and Game, 1701 Nimbus Road, Suite A, Rancho Cordova, California 95670